

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**EUGENE THACH, PRESIDENT 2004 PRESIDING**

**February 17, 2004**

**A. CALL TO ORDER**

The February 17, 2004, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene Thach, Board President.

Chief Deputy Charlie Brown of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1  
Supervisor Eugene C. Thach-----District 2  
Supervisor Bill Russell-----District 3  
Supervisor Allen Latimer-----District 4  
Supervisor Tommy Lewis-----District 5  
W. E. Sluggo Davis-----Chancery Clerk  
David Armstrong-----County Administrator  
Tony Nowak-----Board Attorney

**B. INVOCATION**

Supervisor Tommy Lewis presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. OLD BUSINESS**

**1. Appointments – Massage Parlor, District 5**

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to hold this item over until March 1, 2004. The motion passed by a vote as follows:

Supervisor Jessie Medlin----- ABSENT  
Supervisor Eugene C. Thach----- YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer -----YES  
Supervisor Tommy Lewis----- YES

See Exhibit D.1

**2. Appointment of Election Commissioner**

- a. District 4 Commissioner**
- b. District 5 Commissioner**

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to hold this item over until March 1, 2004. The motion passed by a vote as follows:

Supervisor Jessie Medlin----- ABSENT  
Supervisor Eugene C. Thach----- YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer -----YES  
Supervisor Tommy Lewis----- YES

### **3. Claims on Hold Bill for Entergy for 301 Ball Park**

At the recommendation of the Board Attorney, Tony Nowak, Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to allocate \$340 from the District 3 Park Fund to the 301 Sports Association. The motion passed by a unanimous vote.

See Exhibit D.3

### **4. Interlocal Agreements**

#### **a. Civic Center Loan Agreement**

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to hold this item over until March 1, 2004. The motion passed by a unanimous vote.

#### **b. Village of Memphis/City of Walls – Road Maintenance**

Board Attorney Tony Nowak said they have a draft of an interlocal agreement with the Village of Memphis for Road Maintenance that has been sent to the County Engineer, Andy Swims, and the Road Manager, Russell Dorris. Mr. Nowak said they also sent a copy to Walls, but they have not heard back from them yet. Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to hold this item over until March 1, 2004. The motion passed by a unanimous vote.

### **5. Publication of Tax Breakdown for DeSoto County Residents**

County Administrator David Armstrong presented three ads for the Board to consider explaining the tax breakdown for DeSoto County residents. The Board discussed the ad. Supervisor Eugene Thach said he liked the ad that includes a breakdown of city taxes. Supervisor Allen Latimer agreed.

Tax Collector, Joey Treadway, said he thinks the Board of Supervisors is opening up a can of worms.

Supervisor Eugene Thach said the Board of Supervisors just wants the people to know where their taxes are going. Supervisor Thach said when the School Board \$95 million Bond issue increases tax the people need to know where their tax money has been allocated. County Administrator, David Armstrong, said he feels the ad with the city tax breakdown will be informative to the citizens because 70% of the people live in the City.

Supervisor Bill Russell said he also likes the ad that was prepared by Mr. Treadway because he can take the formula and figure his taxes.

Supervisor Russell asked about the change in the past taxes. Supervisor Russell said this could be confusing.

Mr. Treadway said his office is getting 1/3 of the calls they use to get regarding taxes. Mr. Treadway cautioned that the ad could open up some questions.

Supervisor Russell said he would like to see the chart that Mr. Treadway prepared and the pie chart.

Supervisor Tommy Lewis said since escrow account adjustments have not come out he thinks we will get more attention from the public if we wait until March 1, 2004, to publish the ad. He said after that people will be more interested. Mr. Treadway agreed.

Supervisor Bill Russell said he thinks the sooner the better. Mr. Treadway said that his feedback is that people said they have any say in their taxes and are not interested in where the tax money is broken out.

See Exhibit D.5

## **6. Fisher & Arnold – Greenway Presentation**

County Administrator David Armstrong said at the last Council of Government meeting they voted to go ahead with the Greenway study. Mr. Armstrong said the total of the study is \$50,000 and that cost will be broken down between the County and cities.

David Baker and Russ Adsit of Fisher and Arnold addressed the Board of Supervisors regarding the Greenway study. Mr. Baker said areas of high growth need a variety of offerings for visitors and residents of DeSoto County. Mr. Baker said that such Greenbelts as the one being considered allows people to travel without using vehicles. He said they answer recreational needs and answer civic needs as well.

Russ Adsit said the time to consider the Greenbelt is now because the property is being more costly every day. Mr. Adsit said Fisher and Arnold proposes to develop a Greenway Advisory Committee. He anticipates 6 months from start to delivery. Mr. Adsit said the plan they delivery will be in a GIS format that will be compatible with the County format. He said the information would also give possible phasing opportunities.

Supervisor Eugene Thach asked if the DeSoto Council had him to give a presentation to the Council of Governments. Jim Flanagan said no, they asked if they could come in and give the presentation.

Supervisor Latimer said this type of park has been successful in Hattiesburg. Mr. Adsit agreed and said the Hattiesburg Greenbelt and others have generated much tourism when the parks of this type developed aggressively.

Supervisor Jessie Medlin asked how the parks are developed when places are already built out. Mr. Baker said they try to connect certain things and not just go down the road, such as connecting different parks and sites along the Greenbelt.

Supervisor Jessie Medlin asked who goes out and gets the ROWs. Mr. Adsit said that is another phase that we are not proposing to do yet. Mr. Adsit said this might be a 20-50 year plan.

Supervisor Allen Latimer asked if this will be an easement or would be actually purchase the property. Mr. Adsit said it depends on how the Board wants to go about the park.

Supervisor Allen Latimer asked who will maintain the park. Mr. Adsit said it could be maintained in different ways, but usually the Park Association does it.

Supervisor Eugene Thach asked when the study is given to the Council of Government representatives, would the park go to different areas. Mr. Baker said he would want to consider going through the established park.

Supervisor Tommy Lewis asked about the utilities situation. Mr. Adsit said most utilities see a Greenbelt Park as a plus, usually the easements are not along property lines.

Supervisor Bill Russell said the City of Horn Lake is conducting a separate study on the Greenway. Mr. Adsit said they will have to look at the entire County. He said their objective is to compliment what the governmental entities have done on a Countywide level when

continuing what the County has done so far.

Supervisor Russell asked if there would be a overall county authority to maintain or build the park. Mr. Adsit said they are asking for a Greenway Advisory Committee to make sure there is a coordinated effort to develop the park. Mr. Adsit said he thinks the municipalities would take care of it.

Mr. Armstrong said the study will take 6 months.

Supervisor Tommy Lewis asked if they will recommend routes. Mr. Adsit said yes, but generally they will follow the roads or creeks or railroads.

Supervisor Bill Russell asked if the Greenway can be used as a common area. Merritt Powell said if the Board wants to vote for it, it could, but usually the park areas are for development only.

Supervisor Jessie Medlin asked if there would be another study to determine where the park will run. Mr. Baker said no, this would give a general route. He said the next step would be to get into more specifics about the park. Supervisor Medlin asked if there would be another study.

County Administrator David Armstrong said to your knowledge is there any possibility of grants being available for this study. Mr. Adsit said yes. These projects fall into the 221 Bill and possibly many others.

Jim Flanagan, Executive Director of the DeSoto Council, said they feel this will help with companies relocating to DeSoto County. He said they feel this is a critical step in the comprehensive plan.

Supervisor Bill Russell said he thinks this is an exciting concept for the County and he feels we should go ahead with an opportunity to contribute \$13,000 for such a benefit to the County.

Supervisor Bill Russell made the motion to enter into an agreement with Fisher and Arnold and adopt a Resolution to present to the Council of Governments that the County will go forward with the plan and enter into an contract with Fisher and Arnold for \$13,000 after determining whether the other cities will participate. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	NO
Supervisor Eugene C. Thach-----	YES
Supervisor Bill Russell-----	YES
Supervisor Allen Latimer -----	YES
Supervisor Tommy Lewis-----	YES

See Exhibit D.6

## **7. Planning Commission – Code Violation**

Merritt Powell, Director of Planning, said he was back before the Board of Supervisors about the code violation by Charles Raziano. Mr. Powell said that on January 12, 2004, the Board of Adjustments gave Mr. Raziano an additional 2 years to complete the construction of his new home and allowed him to live in an accessory building with living quarters during the 2 years. This decision was appealed by Mr. Kenneth Stockton on behalf of the residents. Mr. Powell said the Board of Supervisors heard the appeal and overturned the Board of Adjustments decision allowing an additional 6 months to complete and construct the new home and live in the accessory building during that time and it said that he must apply and pay for all necessary building permits and have building inspections done within 30 days of February 4, 2004, for the building he is living in at this time. Mr. Raziano must have Health Department approval on all systems before final inspections and if the home is

not compete within 6 months, Mr. Raziano is to vacate the building and clean the property.

Mr. Powell said that Mr. Raziano missed the meeting because he thought the meeting was to held at night and now Mr. Raziano feels that he is not treated fairly in the handling of this issue. Mr. Powell said he checked with the Health Department and Mr. Raziano got a layout for 3 residences and they have not finalized anything.

Supervisor Bill Russell asked if he is talking about 3 different septic systems. Mr. Powell said yes. Supervisor Russell asked why they did that. Mr. Powell said probably because he asked for it and they usually grant whatever is requested.

Supervisor Eugene Thach said the building issue should have been handled completely the previous time it was before the Board.

Board Attorney Tony Nowak asked if Mr. Raziano had notice of the last meeting. Merritt Powell said yes, that Michael Garriga contacted Mr. Raziano, but he came before the Board at 7:00 that night.

Mr. Nowak advised that the Board can make a motion to reconsider or they can take the position that the Board has heard the matter and already acted upon the issue.

Supervisor Eugene Thach said if the Board of Supervisors is going to reconsider something they have ordered they need to have good justification.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to reconsider the former action of the Board of Supervisors from February 4, 2004, regarding Charles Raziano. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	YES
Supervisor Eugene C. Thach-----	NO
Supervisor Bill Russell-----	YES
Supervisor Allen Latimer -----	YES
Supervisor Tommy Lewis-----	YES

Mr. Charles Raziano addressed the Board of Supervisors and said that whenever he was told this was appealed, he went to his neighbors and everyone he went to said that they have no problem with the Board of Adjustments decision. Mr. Livingston signed a letter which stated he did not have a problem with the BDA decision and he was not one who was involved in the appeal. Mr. Raziano said he keeps his place nice and neat. Mr. Raziano said he let a friend stay in the barn on the property for 2 months to help him with the project. In addition, he has let some people stay there for the weekend.

Merritt Powell said if the barn has a kitchen, bedroom and bathroom that is what makes it a dwelling.

Supervisor Bill Russell asked if Mr. Raziano has applied for permits as directed by the Board of Supervisors. Mr. Raziano said no, he did not understand he was supposed to apply for permits. Supervisor Russell said if the Board left the situation at 2 years, as approved by the Board of Adjustments, they would still be asking Mr. Raziano to get the permits. Mr. Raziano told the neighbors he could not finish the house because he came on a financial hardship. Mr. Raziano said he acquires left over building materials that he uses on his house and keeps them in a neat and orderly fashion on the property.

Mr. Raziano said he was going to do whatever the County required him to do.

Supervisor Bill Russell asked if Mr. Raziano has a problem getting the permit and getting the barn inspected. Supervisor Russell asked if he can get the permits now. Mr. Raziano said he will do whatever he can. Mr. Raziano said he can have all of the things done in 30 days.

Mr. Raziano said he fell out with Mr. Stockton last year. Mr. Stockton then went and got his neighbors against Mr. Raziano.

Supervisor Bill Russell said he went and looked at the property and it was neat and clean.

Mr. Powell asked Mr. Raziano if he has barrel races on the property. Mr. Raziano said yes that it was just a personal matter. Mr. Raziano said he had planned an event to benefit St. Jude as a fundraiser and one other jackpot Bar-B-Que.

Supervisor Jessie Medlin asked when Mr. Raziano pulled the permit on the house. Mr. Powell said May 8, 2001, for the utility building and the house.

Supervisor Bill Russell asked if the barn was inspected. Merritt Powell said no. Supervisor Russell said the Board of Supervisors has to draw the line on how long you can allow someone to build a house. Supervisor Russell explained to Mr. Raziano that his permit expired and he did not apply for the permit to extend or renew the permit. Mr. Raziano said he did not realize the house had to be built within 2 years.

Supervisor Bill Russell asked if the permit says the house must be done within 2 years. Merritt Powell said yes.

Mr. Raziano said he spent \$22,000 pouring the slab and roof.

Supervisor Allen Latimer asked Mr. Raziano did he still have a for sale sign up. Mr. Raziano said he is going to have to sale the property because he cannot finish the building within 6 months.

Supervisor Bill Russell said the building permit says the building should not be occupied until the Health Department has inspected it and it should not be occupied until you have a building inspection. The only authority the Board can look to, to determine resolution, is legal authority and then try to determine what is fair and legal. Supervisor Russell explained that Mr. Raziano never called for a final inspection and has never renewed the building permit.

Supervisor Allen Latimer asked if the 30 days Mr. Raziano has to address the issue starts of February 4, 2004. Supervisor Bill Russell said since Mr. Raziano missed the meeting, he feels we should start the time again. Mr. Powell said Mr. Raziano has not been given a draft copy of the Board's February 4<sup>th</sup> Order and normally those are not given until the Board approves the minutes the first Monday of the next month.

Supervisor Thach asked for any comments from the audience.

Kenneth Stockton of 220 Sterlin Lane, Hernando, MS, said he made a presentation before the Board of Supervisors on February 4, 2004. Mr. Stockton said he has photographs of Mr. Raziano's property. Mr. Stockton said he did go to Mr. Raziano's house in April of 2003. Mr. Stockton said his family had been gone out of town and when they returned there was a tower or elevated platform in the air on Mr. Raziano's property. Mr. Stockton said he went to find out the purpose of the tower. Mr. Raziano informed Mr. Stockton he was going to have jackpot races on the property. Mr. Stockton said he told the neighbors and they did submit the paperwork to the Planning Commission. Mr. Stockton said he thinks Mr. Raziano should make progress on building his house just like Mr. Stockton had to when he built his house. Mr. Stockton said they did not complain about the property for a long time. Mr. Stockton said they did not even complain when Mr. Raziano encompassed more of the accessory building for living quarters. Mr. Stockton said he believes that Mr. Raziano can finish the house in 6 months. He does not want it to take another 5-6 years.

Mr. Johnny Lucky of 317 Sterlin Lane, Hernando, MS, said 3 years ago Mr. Raziano began calling his wife about putting his horses on their property. Mr. Lucky said he told Mr. Raziano no and asked him when his house would be finished. Mr. Lucky said Mr. Raziano is supposed to be in the construction building business and yet he said he did not even know how to understand the permit. Mr. Lucky asked the Board of Supervisors apply the same rules of protection to his property they have done is so many cases in the County.

Mr. Eddie O'Bannon of 200 Sterlin Lane, Hernando, MS, said he wants to see Mr. Raziano get his house built. Mr. O'Bannon said that Mr. Raziano has had plenty of time to get the

house built up to now.

Carla Stockton, 220 Sterlin Lane, Hernando, MS, said she feels that the neighbors have been patient with Mr. Raziano. Ms. Stockton said they just want him to follow the rules that they had to follow when they built their house.

Mr. Kenneth Stockton said that he talked to Mr. Livingston and he gave him a letter and Mr. Livingston asked Mr. Stockton to forward his opinion from the letter that 6 months is ample time to finish the property.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to leave the February 4<sup>th</sup> Order by the Board of Supervisors as a standing Order, but to allow the 30 days to begin running as of February 17<sup>th</sup>, 2004. The motion includes that Mr. Raziano be allowed 6 months to complete and construct the new home and he will be allowed to live in the accessory building during that 6 months. In addition, Mr. Raziano must apply and pay for all necessary building permits and have the building inspection done within 30 days of February 17<sup>th</sup>, 2004, for the building he is living in at this time and Mr. Raziano must have Health Department approval on all systems before final inspections and if the home is not complete within 6 months, Mr. Raziano is to vacate the main building and clean the property. The motion passed by a unanimous vote.

Supervisor Tommy Lewis said he spoke with Mr. Stockton on behalf of the neighbors last week and found that he would be willing to grant another period of time for Mr. Raziano since Mr. Raziano missed the February 4, 2004, meeting.

Supervisor Tommy Lewis said that he spoke with Mr. Stockton and said if Mr. Raziano made substantial progress on the home during the 6 months, then he would be okay with an additional extension that would be made by the Board of Supervisors.

## **E. NEW BUSINESS**

### **1. DeSoto County Prosecutor - Craig Treadway**

County Administrator David Armstrong said the Board of Supervisors took a deadline of February 23<sup>rd</sup>, 2004, to present bills to amend legislation and Mr. Treadway had asked to be on the agenda to meet with the Board to talk to the Board about being a fulltime prosecutor. Mr. Armstrong apologized to the Board for being this near the deadline, but said in this case it could not be avoided. Mr. Armstrong said that Mr. Treadway has said the time required to fulfill this position justifies a fulltime prosecutor. Mr. Armstrong said according to Mr. Treadway there are 5-6 counties who have fulltime prosecutors. Mr. Armstrong said he has contacted a couple of those counties this morning to get an estimated budget.

County Prosecutor Craig Treadway said he is in his second term. Mr. Treadway said he truly believes the position of County Prosecutor needs to be a fulltime job. Mr. Treadway said there has been a tremendous increase in the time required fulfilling his responsibilities as County Prosecutor. Mr. Treadway said the nature of prosecuting in Justice Court has changed. He said DUIs are big business now. Mr. Treadway said he has 5 jury trials scheduled for March. He said Defense Attorneys are escalating what they are asking for, for these cases.

Mr. Treadway said a couple of months ago the Sheriff asked for a meeting. The Sheriff Department said that the Justice Court system is keeping Deputies in Court too long. Mr. Treadway said it is not uncommon to start Court at 9:00 a.m. and be there until well after 5:00 p.m. Mr. Treadway said the Sheriff explained that if you cannot get Deputies out of Court faster, he is going to have to ask the Board for more money for Deputies. Mr. Treadway said Justice Court operates very efficiently and does not take a lot of breaks. He said under the current system, the only way to get the people out faster is to add more Court dates. Mr. Treadway said the Court dates are okay now, but there are only 4 contested days. Mr. Treadway said he is currently in Court more than half the workdays of the month. He said his duties as County prosecutor is taking most of his time.

Mr. Treadway said he ran for the job with his eyes wide open. In the interest of Justice and a better performing Justice Court system, this needs to be a fulltime position.

Mr. Armstrong explained that Craig Treadway prosecutes in Justice Court and Jim Flanagan prosecutes in Youth Court. Mr. Treadway said there is another attorney who does forfeitures for Metro Narcotics.

Mr. Treadway said since this is not local and private, if the Board Is willing, we need to send a Resolution of Support and it must be sent tomorrow and introduced by February 23, 2004.

Mr. Treadway said the Amendment for the Statue that he proposes does not say that it takes effect immediately. This says that making the position fulltime is at the discretion of the Board of Supervisors.

Supervisor Jessie Medlin asked if the Board of Supervisors does this, would it effect the election process. Craig Treadway said no, it would still be an elected office.

Supervisor Eugene Thach asked Mr. Treadway's salary now. Mr. Treadway said \$33,500 plus \$12,000 for office expense. Mr. Treadway said \$60,225 is the total office budget. Mr. Armstrong said Rankin County has a total budget of \$193, 133 and Forrest County has a total budget of \$175,000.

Supervisor Bill Russell said that he agrees that this request is too fast for him. He said that he needs to talk to some of the people and the judges. Supervisor Russell asked if the same thing could be done next year.

Mr. Treadway said he suggests the Board of Supervisors pass the Resolution that the Bill be amended and the Board could discuss and make a determination at their leisure because the actual change to fulltime does not have to be done even if the legislation is passed. Mr. Treadway said the Bill does not make it mandatory that it be completed now. Mr. Treadway said the passage of this Bill does not bind the Board of Supervisors to anything.

Mr. Treadway said under his purview he still has Youth Court. Mr. Treadway said that Judge Barbee said that there is not enough time to adequately prosecute in Youth Court and Justice Court.

Supervisor Bill Russell said if our Attorney agrees that we can do this Resolution and it will open the door to have a fulltime prosecutor and that could be determined at a later date, he would be okay with it. Supervisor Russell said he would have no problem approving a Resolution and then determining the need later as long as it did not obligate the County.

Supervisor Jessie Medlin asked who makes the decision on how many contested days there are at Justice Court. Mr. Treadway said he does not think it will be a problem to add more contested days, but at the present time we added a Judge, but did not add the Court dates.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to send a Resolution to amend Section 25-3-9 of the Mississippi Code to allow the Board of Supervisor to determine the need for the County Prosecutor's job to change from part-time to fulltime and to amend the pay in an amount not to exceed 90% of the County Court Judges salary if the position is changed to a fulltime position. The motion passed by a unanimous vote.

## **2. Accounting**

### **a. Supplemental Claims Docket**

Comptroller Tom Arnold and Stephanie Hanks of the Accounting Department presented



the Claims Docket showing claims to be paid for various departments as of February 17, 2004. In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller. The motion passed by a vote as follows:

Supervisor Jessie Medlin----- YES  
Supervisor Eugene C. Thach----- YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer -----YES  
Supervisor Tommy Lewis----- ABSENT

**b. Metro Narcotics – Interfund Transfer**

In accordance with the revisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors discussed an interfund transfer from the County General Fund and Metro Narcotics Forfeitures to the Metro Narcotics Grant for the fiscal year beginning October 1, 2003 and ending September 4, 2004. At the recommendation of the Comptroller Tom Arnold, Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the Interfund Transfer to the DeSoto County Metro Narcotics Grant as follows:

From: Metro Narcotics Seized	(123-900-951)	\$ 990.00
To: Metro Narcotics Forfeitures	(120-000-387)	\$990.00

The motion passed by a vote as follows:

Supervisor Jessie Medlin----- YES  
Supervisor Eugene C. Thach----- YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer -----YES  
Supervisor Tommy Lewis----- ABSENT

See Exhibit E.2.b

**c. Approval for Interfund Loan**

Comptroller Tom Arnold said an interfund loan is needed to cover the premiums on the new life insurance policy. He said they are asking for the Interfund Loan to cover the first check for the new premium rate. Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the recommendation of the Comptroller to do an interfund loan from the General County Fund and to transfer funds to the Self Funded Insurance Fund as follows:

From:	General County Fund	001-000-054	\$2,300.00
To:	Self Funded Insurance Fund	501-000-149	\$2,300.00

The motion passed by a vote as follows:

Supervisor Jessie Medlin----- YES  
Supervisor Eugene C. Thach----- YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer -----YES  
Supervisor Tommy Lewis----- ABSENT

See Exhibit E.2.c

**3. Head Start Bus Request**

Arvern Moore, Executive Director of ICS, and other ICS representatives appeared before

the Board of Supervisors to discuss the Head Start program. Mr. Moore said the Head Start program is headquartered in Holly Springs, MS., and has 20 centers in a 13 County district serve 3,639 children and families and has more than 850 employees. Mr. Moore thanked the Board of Supervisors for coming to tour the facility.

Mr. Moore said Head Start is not getting sufficient money to implement the kind of program they need to implement. Mr. Moore said the Governor said he was going to Washington to get more money for Head Start. Mr. Moore said he and the representatives from Head Start are before the Board today on behalf of the 86 employees and the 360 children in DeSoto County who are a part of the Head Start program.

Mr. Moore said that Head Start does not get enough money to operate a transportation system and they are asking the County for assistance. Mr. Moore said Head Start is getting a bus from Tippah, Marshall and Lownes counties. Mr. Moore said he is asking DeSoto County for a bus. Mr. Moore said if the Board of Supervisors chooses to support the Head Start program they will help assist the operation with the children of DeSoto County.

Mr. Moore presented a graph showing Southaven and Walls are about the third highest scores in the district. Mr. Moore said the Head Start program is going to measure the children and the effectiveness of the Head Start program. Mr. Moore said they have 19 teachers and have an AA Degree and they are in school now to try to improve more as teachers.

Mr. Moore said he is requesting local and private legislation to fund ICS programs to purchase a bus at \$50,000 and they would like to request a bus from the County every 3 years. Mr. Moore said the live expectancy of a bus is about 5 years, but they are having to piece together buses to have enough buses to operate the system.

Supervisor Allen Latimer asked if the bus would be used exclusively in DeSoto County. Mr. Moore said yes.

County Administrator David Armstrong asked who would own the bus. Mr. Moore said they don't care. They will be happy to handle the bus any way the County wants to handle it.

Supervisor Jessie Medlin asked how long is the local and private good. Mr. Moore said one year.

Supervisor Medlin said he went out to see Mr. Moore. He said a lot of children would not be receiving help to prepare for school if it were not for Head Start. Supervisor Medlin said the program was impressive and he appreciated the efforts of Mr. Moore and his staff.

Supervisor Eugene Thach asked who audits the Head Start program. Mr. Moore said Watkins, Webb and Stafford are the auditors. Mr. Moore said he would be happy to send a copy of the audit report to the Board of Supervisors. Supervisor Thach said please do.

Supervisor Bill Russell said he went to the Walls Head Start facility and it is great. Mr. Russell asked how the cost of child compares to public school. Mr. Moore said they don't compare because their services are not comparable. Mr. Moore explained that the Head Start program must provide medical care. He said they have to meet the comprehensive needs of each child they have in the program. Mr. Moore said they have to get whatever that child needs and the idea that any child who completes the Head Start program will be ready to go to school.

Supervisor Thach said the program provides 2 meals. He said he was impressed by the fact that they could bring the child in at 6:00 a.m. and pick them up by 6:00 p.m. if they worked for \$6.00 per day.

Mr. Moore said 90% of the children are from poor families. He said they partner with the Planning and Development District in the State. Mr. Moore said their office was selected under Governor Fordice to run the program.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve a Resolution of Support for local and private legislation to purchase a bus for Head Start program for the next three years up to \$50,000. The motion passed by a unanimous vote.

See Exhibit E.3

#### **4. Purchasing**

##### **a. Approval to Open Bids on 2/27/04– Janitorial Supplies**

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator or his designee to open bids for Janitorial Supplies on February 27, 2004. The motion passed by a unanimous vote.

See Exhibit E.4.a

##### **b. Bids Under Advisement – Depository**

Comptroller Tom Arnold presented the bids for depository. Supervisor Allen Latimer and Supervisor Jessie Medlin recused themselves for the discussion on this item. Mr. Arnold said that First Tennessee was disqualified as participating from the bids for depository. He went further saying that any bank without a branch in Hernando is automatically disqualified from being the depository, but those bids are included for the purpose of investment of surplus funds. Mr. Arnold said that First Security Bank and Bancorp South are the best two bids the County has received. Mr. Arnold explained the interest rate at Bancorp South is 2.50 fixed and the interest rate for First Security is bid at .80% over the Federal Funds Rate which at this time is 1.80 and it is a variable interest rate. Mr. Arnold said this decision is judgment because nobody knows exactly what the interest rate will be. Mr. Arnold said today the fixed rate is better, but you cannot know what the interest rate is going to be in the future. Mr. Arnold said he talked to a couple of bankers outside the County and got two different opinions on the issue.

Mr. Arnold said he recommends Bancorp South at the fixed rate of 2.50%.

Supervisor Tommy Lewis asked for verification of the interest rate for First Security. Mr. Arnold said First Security bid the Federal Funds Rate plus .80%. The Board of Supervisors discussed how the rate has fluctuated over the past year.

Supervisor Bill Russell made the motion to approve Bancorp South as the depository for County funds. The motion failed for lack of a second.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to hold this item over until March 1, 2004. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	ABSENT
Supervisor Eugene C. Thach-----	YES
Supervisor Bill Russell-----	YES
Supervisor Allen Latimer -----	ABSENT
Supervisor Tommy Lewis-----	YES

See Exhibit E.4.b

#### **5. Approval of Chancery Clerk Allowance**

On this date, the County Administrator, David Armstrong, presented, on behalf of the Chancery Court Clerk, W. E. Davis, an order of Allowances to the Board of Supervisors for the February 2004, term in the amount of \$870.00. the motion to approve these payments of \$870.00, pursuant to Section 25-7-9 of the

Mississippi Code of 1972, Annotated. The motion passed by a unanimous vote.

See Exhibit E.5

## **6. Health Department - Dr. Alfia Rousa, Health Officer**

Dr. Alfia Rousa introduced himself as the new Health Officer for the State of Mississippi. Dr. Rousa said he is the Northwest District Health Officer. Dr. Rousa said when he started in public health DeSoto County had 13,006 people. Dr. Rousa said he commends the County on the fine facility they have built for DHS. Dr. Rousa introduced the local representatives of the Health Department who accompanied him to the meeting. Dr. Rousa presented a report showing that 6,000 people were served through the Health Department last year. He said there were a variety of cases that went through the Department. Dr. Rousa said that the meningitis outbreak was handled by the Health Department at a cost of over \$300,000. Dr. Rousa said their efforts were successful because there were no additional cases. Dr. Rousa said that the bigger problem is people dying from heart disease and cancer.

Dr. Rousa said that diabetes drives 60-70% of all health care costs. He said age onset diabetes is now a disease of young people and that has changed due to life style choices.

Dr. Rousa said he would like to get a program soon to where all new subdivisions are required to have a play area, walking trail, and sidewalks.

Dr. Rousa explained the Health Department program and talked about the Health Officers.

Dr. Rousa appealed to the Board of Supervisors not to develop any subdivisions with on sight water systems. Dr. Rousa said he was interested in working with the County to develop the County wide water and sewer system. Dr. Rousa explained that this effort would protect people from water born diseases.

Dr. Rousa said the staff in DeSoto County works very hard and he asked the Board of Supervisors to consider building a new Health Department building. Dr. Rousa said the Health Department desperately needs the facility. Dr. Rousa said there are grants available to help with this effort. Dr. Rousa said there are rural development grants and loan programs as well. Dr. Rousa said he would like to build a Health and Wellness Center in the County.

County Administrator David Armstrong asked about Health Inspectors. Dr. Rousa said we have four now. He said the last one started last week. Dr. Rousa said the eating establishments in DeSoto County are growing.

Supervisor Eugene Thach asked why the Health Department does not publish the results of Health Inspections. Dr. Rousa said that can be done.

Supervisor Jessie Medlin pointed out that DeSoto County allocates a lot money to the Health Department. He said the County has made up several budget short falls that the State has experienced and has funded the Health Department in many areas and programs that were formerly funded by the State. Supervisor Medlin said before he holds his hand up to build the building he would have to be sure that the State can staff the building. Dr. Rousa said the Health Department gets \$26-27 million from the State. He said they get \$3-4 million on the State level. He said the rest is Federal funds.

Mr. Armstrong asked how the DeSoto County's contributions to the Health Department compare to the other counties. Dr. Rousa said DeSoto County's participation in the Health Department is excellent.

Dr. Rousa said one of the biggest problems the Health Department has is hiring good health employees. Dr. Rousa explained that DeSoto County is competing with Memphis and those nurses go there for higher paying jobs.

Supervisor Bill Russell asked if there are grants available to counties that are not available

to the State. Dr. Rousa said there are grants available to public bodies.

Supervisor Eugene Thach asked if other counties own their Health Department building. Dr. Rousa said counties all own the building.

Supervisor Russell said DeSoto County has a Health and Wellness Center in Walls. He asked if the Health Department is part of that system. Dr. Rousa said they are starting to work with the Health and Wellness Center on some issues. Dr. Rousa said they plan to continue their relationship with the Health Department.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to recess the meeting until 1:30 p.m. The motion passed by a unanimous vote.

## **7. New Circuit Court District and Judge Resolution**

Judge George Ready, Circuit Court Judge, and John Champion, District Attorney, appeared before the Board of Supervisors to discuss the new Circuit Court District and additional Judge in DeSoto County. Judge Ready said there has been a change from his recent request to add a Circuit Court District. Judge Ready said there are pros and cons to adding a District. Judge Ready said Mr. Champion has some figures about how much a fully funded DA's office will cost the County.

Judge Ready said this could be a mistake to not apply for the District now because powers are in office to accomplish the District. Judge Ready said it is hard to get this sort of legislation passed and the opportunity is there to accomplish the District now.

Judge Ready said he has decided to not pursue the District because it will cost more money. He said it will cost less on the Circuit side, but more on the DA's side.

Judge Ready said, no offense to the local papers, the Clarion paper says that the Counties are going to be hit by the school budget in the next term, therefore the taxpayers would be burdened in excess to fund those areas.

District Attorney John Champion said to fund a District Attorney's office for the County would probably cost between \$300,000-\$350,000 per year.

Judge Ready asked the Board to pass a Resolution for a second judge to run by post in Sub District 1.

Mr. Champion said that each year he spends between \$300,000-\$330,000 in office expenses. He said the victim's witness is about \$140,000. He said his funding is \$36,500 from the State of Mississippi that is used to pay partial salaries. Mr. Champion said their bills average \$27,000 per month including payroll, \$5,000 of that is for the Batesville office. Mr. Champion said he gets \$67,353 from the other four counties. He gets \$26,000 from DeSoto County. He said they generate \$120,000-\$140,000 from bad checks. The pre-trial intervention program is \$60,000-\$70,000, plus he gets reimbursed from two different grants. One is a Cops Grant at \$60,000 and one investigator is funded through a grant for \$18,000-\$20,000. Mr. Champion said the revenue from the check unit, 60% debt income and 60% pretrial, would be gone under the DeSoto County district because Wal-Mart in Batesville is a substantial portion of the bad check money. Mr. Champion explained that the victim's witness budget is from all of the counties and that would be lost if DeSoto County was a separate District. He said that budget would have to be completely funded by the County.

Mr. Champion said he would be in favor of adding another Judge rather than separate everything out. He would have to have the people he has now. Mr. Champion said that he does not feel that a separate District is economically feasible.

Mr. Champion said, on the other hand, the other four counties cannot afford a separate office either.

Mr. Champion said that Bobby Williams, Ann Lamar, and himself has asked for an increase from the County for their budget for the past 3 years. He said the additional cost of another Judge would be minimal for the County because most of those cost are paid by the State.

Mr. Champion said last year they tried to get the State to fund \$75,000 per office. He said that would relieve a lot of stress on some of the other offices, but they were unsuccessful.

Mr. Champion said he is very lucky to have inherited a well-run office.

Mr. Champion said the District Attorney's office prosecutes in the name of DeSoto, Mississippi.

Judge Ready said that Mr. Champion thinks we can hold off to increase the number of weeks of term. He thinks we need to increase the number of weeks of term now. Judge Ready said if we don't we are going to have to turn people out for lack of a speedy trial. Judge Ready said he thinks we need to lobby for a second Judge.

Mr. Champion said adding another Judge will effect his office very little.

Supervisor Tommy Lewis asked about Court room space and asked how will a second effect the available Court room space in the Courthouse. Judge Ready said one can use the big Courtroom and the other Judge can use the small Courtroom. He said that has been done before. He said the Courtroom space would not be an issue with the second Judge. Judge Ready said, in the future, ten years from now we will have to have more Courtroom space.

Mr. Champion said they use to run two Courts in DeSoto County. Mr. Champion said his staff is prepared to go forward with another Judge.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to send a Resolution for a second Judge from Sub District 1 Post 2 asking that it be a Post Judgeship and it will not run in the Herd. The motion passed by a unanimous vote.

Supervisor Bill Russell asked when is that likely to happen. Judge Ready said he would suspect at the beginning of the next judicial election.

## **8. DCRUA - Approval of Final Payment to Delta Constructors**

Tracy Huffman presented a request for final payment to Delta Constructors in connection with the Wastewater system. Mr. Huffman said this is previously approved by the Board of Supervisors, but the minutes were not clear.

Mr. Armstrong said the County gets 50% reimbursement from EDA. Mr. Armstrong asked Mr. Huffman what amount of this project will you be able to use in the permanent facility. Mr. Huffman said probably the lagoon.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve the final payment to Delta Constructors in the amount of \$85,607.50. The motion passed by a unanimous vote.

See Exhibit E.8

## **9. Animal Shelter**

- a. Approval for Larry Houston to Sign Purchase Requisitions for Animal Services**
- b. Approval to Remove Clara Riley from Approval to Sign Requisitions for Animal Services**
- c. Approval to Appoint Clara Riley as Receiving Clerk**

At the recommendation of Vanessa Lynchard, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve Larry Houston to

sign purchase requisitions for Animal Services, to remove Clara Riley from approval to sign purchase requisitions for Animal Services and to appoint Clara Riley as Receiving Clerk for Animal Services. The motion passed by a unanimous vote.

**d. Approval of Cell Phone for Animal Services Director**

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve a telephone for the Director of the DeSoto County Animal Shelter and to authorize the Board President to sign a contract with Cingular Wireless for the service. The motion passed by a vote as follows:

Supervisor Jessie Medlin----- NO  
Supervisor Eugene C. Thach----- YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer -----YES  
Supervisor Tommy Lewis----- YES

See Exhibit E.9.d

**10. Approval of Lease Agreement – Hernando Civic Center**

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to authorize the Board President to sign a Lease Agreement with the Hernando Civic Center extending the leasing period until January 2, 2008. The motion passed by a unanimous vote.

See Exhibit E.10

**11. Tax Exemptions**

**a. Premier Manufacturing Corp. – Ad Valorem 10 Yr. Real & Personal and Freeport**

Greg Jones of Premier Manufacturing and Jim Flanagan, Director of the Economic Council, addressed the Board of Supervisors to request a tax exemption for Premier Manufacturing Company. Mr. Flanagan said Premier Manufacturing is located in Olive Branch, MS.

Mr. Jones explained that Premier Manufacturing is owned by three people in Ohio. He said they have been in business for over 20 years. Mr. Jones said he has been with the company for 21 years. Mr. Jones explained that they have been leasing their building, but now have built a facility in Olive Branch , MS. He said they employ 22 employees and work 5-10 employees on a temporary basis.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve a tax exemption for Premier Manufacturing Company for 2 years for Real and 10 years for Personal exemption. The motion passed by a unanimous vote.

See Exhibit E.11.a

**b. Medart - Ad Valorem 10 Yr. Real & Personal and Freeport**

Jim Flanagan, Executive Director of the Economic Council, introduced David Strubberg of Medart. Mr Strubberg said this is a family owned business. They distribute and have in Memphis for 20-25 years. He said their manager is from DeSoto County and she has been pursuing the company to DeSoto County for a number of years.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve a 10 year Real, 10 year Personal and a Freeport Warehouse tax exemption for Medart in accordance with the provision set forth in Exhibit E.11.b. The

motion passed by a unanimous vote.

**c. Williams Sanoma – Freeport**

Mark Aquadro appeared before the Board of Supervisors on behalf of Williams-Sanoma. He said that Williams-Sanoma is a major retailer. They have a new warehouse for outlets retail distribution. He said they have 14 outlets across the country.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve a Freeport Warehouse tax exemption for Williams Sanoma in accordance with the terms set forth in Exhibit E.11.c. The motion passed by a unanimous vote.

**d. Rexam Beverage Company – 5 Yr. Personal Ad Valorem**

Lee Magrow appeared before the Board of Supervisors with Jim Flanagan, Executive Director of the DeSoto Council, regarding a tax exemption for Rexam Beverage Company. Mr. Magrow said they are the largest manufacturer of aluminum cans in the United States. He said Aluvance is the largest producer of all of their plants in the United States. He said they are bringing other lines all the time. Mr. Magrow said their average pay is \$21.37 per hour. Supervisor Medlin said a few years ago Rexam Beverage said they had 3 lines in operation in Olive Branch that were making more cans than 3 lines in other parts of the country. Mr. Magrow said they have more than 6 lines in operation now and their production is well in excess of other facilities.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve a 5 year Personal tax exemption for Rexam Beverage Company in accordance with the terms set forth in Exhibit E.11.d. The motion passed by a unanimous vote.

**12. Board of Education - School Bus Turnaround**

After receiving the estimate from the Road Manager Russell Dorris for 2-4 loads of gravel for Hwy 304-W and a recommendation from the Road Manager regarding the School Bus Turnaround and in accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor Bill Russell made the motion to build, maintain, and improve the properties in the Superintendent's letter dated February 2, 2004, and to direct the County Road Manager to carry out this order of this Board forthwith. Supervisor Jessie Medlin seconded the motion for the following list:

Stephanie & Mindy Bayless 10550 Hwy 304-W. Hernando, Ms. Buses 147 & 228

The motion passed by a unanimous vote.

Supervisor Jessie Medlin said that he received a request from John Caldwell, Director of Transportation, to do work on a school bus turnaround at 6262 Hacks Cross Road, Olive Branch, MS. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to maintain the school bus turnaround at 6262 Hacks Cross Road, Olive Branch, MS, contingent upon receiving the letter of request from the Superintendent of Education. The motion passed by a unanimous vote.

See Exhibit E. 12

**13. BFI Request Regarding Rubbish Pit**

County Administrator David Armstrong said Butch Lambert has presented a proposal to help the County locate a site for a rubbish pit and \$15,000 was budgeted for this purpose. Mr. Armstrong requested the Board's decision for purposing this issue. Mr. Armstrong said



that Mr. Lambert will look for a site and conduct a landfill study.

Supervisor Bill Russell said that he and Supervisor Medlin were appointed to a committee to study the issue. Mr. Russell said that he has received a call from another individual and he would like to get with Mr. Lambert and the other individual to address this issue. The Board of Supervisors directed the County Administrator to set up a meeting with those people for this purpose.

#### **14. Solid Waste Landfill Study**

Director of Operations and Transportation, Jim Bearden, Keith Shirley and Larry Hubert appeared before the Board of Supervisors regarding the landfill. Larry Hubert suggested putting in a piece of equipment at the rubbish pit that will increase the life of the rubbish pit by 9 months. They said it is a bigger machine and will add space to the site. Mr. Hubert said since the rubbish pit is nearing the end of its life, they would be giving the County updates on the life of the pit every 6 months. He said it is possible they would get more capacity than the additional 9 months. He said at Shelby south they have received an expansion on the Tennessee side that will give them an extra 20 years that will be open to the County.

Supervisor Bill Russell asked if the new machine will cost the County anything. Mr. Hubert said no, they just want to make sure that the County is aware of the opportunity. Mr. Russell verified that it is 20 years on the landfill and household garbage and 4 years on the rubbish pit. Mr. Hubert agreed. Mr. Shirley said they want to keep the Board of Supervisors informed on this issue and up to date on this issue and they will continue to present updates regularly.

Supervisor Bill Russell asked what happens to the land once the landfill is filled. Mr. Hubert said they are grassed and could be used for a park. Supervisor Russell verified that there is no methane problem on the property. Mr. Shirley said no.

Supervisor Jessie Medlin asked when the County looks for another site will it need a liner. Mr. Hubert said it depends on the soil. He said the DEQ guideline is 1x10<sup>-5</sup>.

See Exhibit E.13

#### **15. Juvenile Justice Center – Judge Mills Barbee**

Judge Mills Barbee presented a report from the Juvenile Justice Center Committee. He said they have made trips to Hinds County and to Natchez. He said the need for the facility is definitely there and they have learned some things from the other facilities, therefore they request authority to seek proposals for architects for the Juvenile Justice facility.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve sending an RFP for architects for the Juvenile Justice Center. The motion passed by a unanimous vote.

#### **16. Roads – Approval of Resolution for Local & Private Legislation for Stateline Road**

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve a Resolution for Local and Private Legislation for the County to work on Stateline Road. The motion passed by a unanimous vote.

#### **17. Approval to Apply for Entergy Grant for the 301 Ball Park**

Joyce Herring, DeSoto County Grant Writer, said Supervisor Russell has gotten in an application for a \$5,000 grant for the improvements to the 301 Ball Park. She said the money will be used to stabilize the bank at the park. Ms. Herring said according to the

engineer the estimate on the property will be approximately \$6,500.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the County to apply for the grant with Entergy for the 301 Ball Park in the amount of \$5,000. The motion passed by a unanimous vote.

See Exhibit E.17

## **18. Approval to Apply for Response Team Reimbursable Grants**

- a. Planning \$80,000**
- b. Training \$80,000**

EMA Director T. H. Walker and Safety Officer Tim Curtis appeared before the Board of Supervisors seeking approval to apply for an \$80,000 Planning Grant, an \$80,000 Training Grant and a \$10,000 Planning Grant for the Regional Response Team. Mr. Walker said the employees under this grant have to be hired by the Regional Response Team. He requested approval to interview people and bring them before the Board for final approval.

Supervisor Eugene Thach asked what they would be doing. Tim Curtis said they will help draw up the plans and help with the HazMat operations. Mr. Curtis said the part-time employee will strictly be doing computer work for the hazardous data. He said the other part-time employee would be responsible for maintaining the equipment. Mr. Curtis explained that the equipment has to be maintained and tested and recorded as being such. Mr. Curtis said this is a huge administrative responsibility. He said the equipment will be distributed by the agency and city. He said they need approval for new interlocal agreements for the equipment. Mr. Curtis explained that on previous interlocal agreements it was done for a portion of the equipment, but since that time much more equipment has been obtained that was not covered by the first interlocal agreement.

- c. Planning \$10,000**

T. H. Walker explained that this is a 100% grant to hire two administrative assistants as needed. He said someone needs to approve receiving the grant. The individuals that they hire will be 2 fulltime positions and 2 part-time positions. Mr. Walker said the grant is only good for one year and all employees will be informed of that. Mr. Walker said they have had several people applying for the job.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to accept the grant, approve an interfund loan for the 2 months of employment to the Central Maintenance with persons under the grant to repay the County, and approve an interlocal agreement with the cities and agencies for additional equipment and services not covered under the past interlocal agreement, and to approve a \$64,000 interfund loan for the equipment which would be reimbursed by the Grant. The motion passed by a unanimous vote.

See Exhibit E.18.c

## **19. Sheriff's Dept. – Authorization for Board President to Sign the Federal Annual Certification Report**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the Board President to sign the Federal Annual Certification Report. The motion passed by a unanimous vote.

See Exhibit E.19

## **20. Safety Officers Report**

At the recommendation of the County Administrator, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve and accept the Safety Officer's Report for January 2004. The motion passed by a unanimous vote.

See Exhibit E.20

## **21. County Cell Phones**

Supervisor Bill Russell said the County needs to look at how we handle cell phones. He said the way it is set up now the Board can enforce that the users pay their own personal usage for cell phones. Supervisor Russell said he got a print out of a phone bill and said it is difficult to figure out how many calls you have that are personal vs. business. He said you also have to consider the cost of processing checks on employees. Supervisor Russell said it is difficult to carry two cell phones, but he does it and he knows the Road Manager carries two phones. He said the only argument about the bill is it is not easily determined the calls that you receive. He said those are not 10% of the problem. The problem is the calls you initiate. He suggested having employees with cell phones sign an affidavit that they certify all of the calls they have initiated and the phone bill for business calls.

Supervisor Russell said he thinks the Board will eliminate the problem if they make a determination that this is a County phone for County business.

Supervisor Eugene Thach said whatever we do it will be in the paper. Supervisor Thach said that most people are conscientious with the County cell phone usage. He said that 99% of the employees do not abuse their cell phones. He said the County is making a big problem out of a small problem. Supervisor Russell said the exceptions of cell phone abuses are rare. Supervisor Thach said if a person makes a personal phone call on any phone the County should be reimbursed.

Christy Huer said at her company they took the cell phone package per month and split it between the employee and the company and the user had to pay the entire amount of overage on the cell phone bill.

Supervisor Russell made the motion to accept a policy of having the user sign for the phone and certify that all of the initiated phone calls were made on behalf of the business of DeSoto County. There was no second on the motion.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to have employees sign that they made calls and they will pay for the personal phone calls made. After discussion that this is what we are currently doing Supervisor Eugene Thach withdrew the motion and Supervisor Allen Latimer withdrew the second on this motion.

County Administrator David Armstrong said if people refuse to sign the bill, they will not get a phone. The Board of Supervisors agreed.

Supervisor Tommy Lewis asked to find out whether we can reimburse an employee for County calls on their personal cell phone.

Supervisor Eugene Thach said his cell phone allows him to conduct County business while he is out in the field and that is what they are for.

See Exhibit E.21

## **F. EXECUTIVE SESSION**

## **G. OTHER ISSUES**

**1. Craig Treadway**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve a Resolution. The motion passed by a unanimous vote.

**2. Board of Education – Center Hill Elementary School**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve piling 8-10 loads of pea gravel to the playground at Center Hill Elementary School with the Board of Education paying for the material. The motion passed by a unanimous vote.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to adjourn the meeting until March 1, 2004 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 17<sup>th</sup> day of February 2004, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Eugene Thach, President  
DeSoto County Board of Supervisors